

CITY COUNCIL MINUTES

Tuesday, October 4, 2005 7:30 PM

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET**

**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK**

7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE AND NATIONAL ANTHEM

Led by the *Singing Hands Children's Choir*, directed by Vicki Mullens.

INVOCATION

ROLL CALL Councilmembers Jim Heggarty, Gary Nemeth, Duane Picanco, Fred Strong, and Mayor Frank Mecham

PUBLIC COMMENTS

- Greg Haas, President of REC Inc, thanked Council for holding the 3-day *Follow the River, Follow the Dream* workshop September 29th through October 1st, and expressed his appreciation to City staff, especially Meg Williamson and Annie Robb, for their substantial effort in organizing the workshop.
- Mayor Mecham complimented Meg Williamson and Annie Robb for an extraordinary workshop, and commended Cathy David and Claire Glennon for their contributions to this successful event, as well.
- Mayor Mecham urged all residents to come out Saturday and join in the City's celebration of the 75th Anniversary of Pioneer Day.

AGENDA ITEMS TO BE DEFERRED (IF ANY) - None

COUNCIL COMMENTS

- Councilmember Nemeth commented on the *Crafting California's Destination Downtowns* conference held September 28th – 30th in Palm Springs, attended by himself, Councilmember Heggarty and City Manager Jim App, accompanied by some members of the Planning Commission, Chamber of Commerce, and Main Street Association.
- Councilmember Strong reported that he represented the City at the first meeting of the Santa Barbara County of Associated Governments and San Luis Obispo County Council of Governments. Additional meetings and subcommittees are planned for the future to promote better cooperation between San Luis Obispo County and Santa Barbara County.

PRESENTATIONS

1. Special Recognition - Kermit King

F. Mecham, Mayor

On the occasion of his 105th birthday, Kermit King was recognized for his many years of service to the community. The *Signing Hands Children Choir* treated Mr. King to a special version of the *Happy Birthday* song. Dolly Bader, age 95, was also recognized.

Council adjourned for a 5-minute break at 8:45 pm to allow some members of the audience to withdraw from the conference room.

PUBLIC HEARINGS

2. Determination of Historic or Architectural Significance of Residential Building at 525 Riverside Avenue & a Request to Process Pending Demolition Permit Application (Demolition 05-005 – Applicant: Smart & Final Corporation)

R. Lata, Community Development Director

Consider historic or architectural significance of a residential building at 525 Riverside Avenue and authorizing a demolition permit. (Although subject building is in the City's Historic Resources Inventory, it is not on any local or State Register of historic structures.)

Mayor Mecham opened the public hearing. Speaking from the public were Bob Tomaszewski (Tomas Lang Architects), Ron Rose, Dennis Judd, Norma Moye, Gene Ernst, Walt Heer, Tom Hardwick, Charles Narrow, and Philip Shuluk (Director of Construction for Smart & Final Stores Corporation.) There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Heggarty, seconded by Councilmember Nemeth, based on the finding that the building is determined to be of significant historical character, continued the application for a 6-month period of time pursuant to Municipal Code Section 17.16.050 and directed that the necessary investigations pursuant to CEQA be carry out.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

3. Code Amendment 05-002: Senior Housing Overlay Zone and Senior Housing Regulations

R. Lata, Community Development Director

Consider a City-initiated amendment to the Zoning Code to establish a Senior Housing Overlay Zone and zoning regulations for Senior Citizen Housing Developments. (The purpose of this code amendment is to implement General Plan policy to expand the City's supply of housing affordable to low and moderate income persons by allowing for development of senior housing in the area north of 24th Street, between Oak Street and the railroad.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to (1) adopt Resolution No. 05-196 approving a Negative Declaration for Code Amendment 05-002; and (2) introduce for first reading Ordinance No. XXX N.S. amending the Zoning Code to establish a Senior Housing Overlay District and regulations for Senior Citizen housing developments; and set October 18, 2005, as the date for adoption of said Ordinance.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

CONSENT CALENDAR

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Consent Calendar Items Nos. 4 – 17 were unanimously approved on a single motion by Councilmember Heggarty, seconded by Councilmember Strong, with Mayor Mecham abstaining on Warrant Register Item No. 057722 and Councilmember Picanco abstaining on Warrant Register Items Nos. 057551, 057548, 057585, and 057695 due to possible conflicts of interest.

4. Approve City Council minutes of September 20, 2005
D. Fansler, City Clerk

5. Approve Warrant Register: Nos. 57419 – 57597 (9/16/05) and 57598 – 57737 (9/23/05)
M. Compton, Administrative Services Director
6. Receive and file Advisory Body Committee minutes as follows:
Citizens' Airport Advisory Committee minutes of May 26 and August 25, 2005
Parks & Recreations Advisory Committee meeting of August 9, 2005
Senior Citizen Advisory Committee meeting of July 11, 2005
7. Proclamation - *Seventy-fifth Anniversary of the Pioneer Day Celebration*
M. Mecham
8. Read, by title only, and adopt Ordinance No. 905 N.S. amending the fiscal year 2005/2006 budget for the Redevelopment Agency and approving a grant of Redevelopment Low and Moderate Income Housing funds to Peoples' Self-Help Housing Corporation to assist the development of Canyon Creek Apartments. (This is a 68-unit family apartment complex under construction on an approximate 7-acre site, located on the southwest corner of Oak Hill Road and Nicklaus Drive.) 1ST READING SEPTEMBER 20, 2005
R. Lata, Community Development Director
9. Adopt Resolution No. 05-197 authorizing the recordation of Tract 2745 and authorizing the Mayor to execute the Subdivision Improvement Agreement guaranteeing the construction of the subdivision improvements, with an established deadline of October 4, 2006, to complete these improvements; and adopt Resolution No. 05-198 annexing Lot 3 of Tract 2745 into Community Facilities District No. 2005-1, and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien. (This is a 7-lot subdivision located between Niblick and Oak Hills Roads, east of South River Road.)
R. Lata, Community Development Director
10. Adopt Resolution No. 05-199 authorizing the City Manager to enter into an Agreement for Traffic Engineering Services with Associated Transportation Engineers in relation to interchange improvements at State Highways 101 and 46 West for a not-to-exceed fee of \$13,500. (The City has completed a Project Study Report [PSR] that outlines interchange improvement options at this intersection. Each design option is comprised of road improvements that could be implemented on an interim basis. Consideration of the interim projects must include an evaluation of their effectiveness when implemented, the length of their effectiveness, and the amount of additional traffic that could be accommodated by each interim improvement in order to determine future land development capabilities within the City.)
R. Lata, Community Development Director
11. Adopt Resolution No. 05-200 authorizing the City Manager to enter into an Agreement for Consultant Services with Tim Landes, Sierra West Valuation in relation to three properties in the vicinity of State Highways 101 and 46 West for a not-to-exceed fee of \$12,000. (The City has completed a Project Study Report [PSR] that outlines interchange improvement options at this intersection. The PSR identifies three specific properties along the west side of Highway 101 as being affected regardless of which design option is ultimately developed. Interim projects will require the purchase of these properties.)
R. Lata, Community Development Director

12. Adopt Resolution No. 05-201 establishing a list of pre-qualified traffic engineers to prepare traffic calming studies and include the firms of Kimley-Horn and Omni-Means on the subject list. (To facilitate the process of conducting traffic calming studies, it is proposed that these two firms be placed on a list of pre-qualified firms. The City would contact the firms as needed, with the scope of work tailored to the particular circumstances.)
R. Lata, Community Development Director
13. Adopt Resolution No. 05-202 approving a salary adjustment for the City Manager in accordance with the City Manager Employment Contract. (Based on the annual review of the City Manager's performance recently conducted by the City Council, and in accordance with the terms of the Contract, the annual base salary of the City Manager will increase to \$140,440 effective September 1, 2005.)
I. Yang, City Attorney
14. Adopt Resolution No. 05-203 approving budget appropriations for acquisition of cost allocation software from Maximus. (The Maximus "Maxcars" software will automate cost allocation, making use and administration more efficient and reliable than the Excel spreadsheet system currently in use.)
M. Compton, Administrative Services Director
15. Adopt Resolution No. 05-204 approving the wage rate for Reserve Firefighters at the entry level (step 1) rate of the Firefighter job classification. (This administrative action is necessary for the implementation of the Reserve Firefighter Program approved by Council in May 2005.)
M. Williamson, Assistant to the City Manager
16. Adopt Resolution No. 05-205 authorizing the Director of Administrative Services to engage the services of AK & Company to provide mandated cost claiming services on behalf of the City. (Senate Bill 90 provides for public agencies being reimbursed for costs associated with compliance with legislation enacted by the legislature. The City files annual reimbursement claims prepared by a third party expert.)
M. Compton, Administrative Services Director
17. Extend duration of Council ad hoc committee to consider a variety of transit service issues to January 3, 2006. (Work of the ad hoc committee formed on October 5, 2004, is not yet complete.)
M. Compton, Administrative Services Director

Council adjourned for a 10-minute recess at 8:55 PM.

DISCUSSION

18. Airport Safety and Security Report

M. Williamson, Assistant to the City Manager

Receive report on Airport safety and security from the Airport Advisory Committee. (The Airport Advisory sub-committee reviewed operations at the Municipal Airport in the context of local, State, and Federal standards, and have prepared a Safety & Security Review for Council consideration.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public hearing was closed.

Councilmember Heggarty, seconded by Councilmember Picanco, moved to receive and file.

Motion passed by unanimous voice vote.

19. Annual Transportation Development Act Funding Claim

M. Compton, Administrative Services Director

Consider approval of the annual Transportation Development Act (TDA) claim for fiscal year 2006. (The City must file an annual claim with the San Luis Obispo Council of Governments in order to receive its allocation of TDA funds. TDA funds may be used for either transit services or street and road construction/maintenance. Funds represent ¼ of 1% of the sales tax collections statewide and are generally distributed back to local agencies based upon County situs and agency population. In addition to transit fares and TDA, the City now receives Federal Transit 5307 funds for City transit operations, resulting in an additional \$435,000 in TDA funds being recommended for allocation to streets and roads.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to (1) adopt Resolution No. 05-206 approving the annual claim for Transportation Development Act funding.

Motion passed by the following roll call vote:

AYES:	Heggarty, Nemeth, Picanco, and Mecham
NOES:	Strong
ABSTAIN:	None
ABSENT:	None

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

COUNCIL COMMENTS

- 20.** Discussion of potential joint meeting between Paso Robles and Atascadero City Councils. There was no interest by Council to pursue this at this time.

By unanimous voice vote, Council moved to adjourn from regular session at 9:15 PM.

ADJOURNMENT: to THE ANNUAL LEAGUE OF CALIFORNIA CITIES CONFERENCE OCTOBER 6-8, AT THE MOSCONE CONVENTION CENTER, SAN FRANCISCO; TO PIONEER DAY ON OCTOBER 8; TO THE LAFCO COMMUNITY OF 2050 MEETING 9:00 AM – 4:00 PM ON SATURDAY, OCTOBER 22, AT THE TEMPLETON MIDDLE SCHOOL, 925 OLD COUNTRY ROAD, TEMPLETON; TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, OCTOBER 18, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved:

**THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT PART OF THE RECORDS
UNTIL APPROVED BY THE CITY COUNCIL AT A FUTURE REGULAR MEETING.**